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of the abuses of expert witnesses in criminal cases or in habeas corpus proceedings by providing for the appointment of disinterested insanity experts (Laws 1915, Chap. 295), was passed through the persistence and activity of a committee headed by President Clearwater of the State Bar Association.

In 1915 the Association of the Bar of the City of New York approved the unanimous report of its law reform committee for the reform of the criminal procedure on the lines suggested by the decisions of the supreme court of the United States and the modern English and federal criminal practice. During 1914-1915, the law reform committee of the City Bar Association made a nation-wide investigation of the public defender project and reported against it.

As these lines are written, the complete report of the statutory consolidation board recommending a short practice act and court rules in lieu of the code of civil procedure, is at hand. The writer trusts it will be enacted next year.

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Legislation of 1914 Affecting Nominations and Elections. The small amount of statute making in the few States whose legislatures were in session in 1914 indicates no new tendencies in nomination and election practices. Most of the legislation is concerned with modifications of the direct primary. At the same time the marked tendency toward the "short ballot" noticed last year continues, and "corrupt practices" laws increase in favor. Some of the more specific changes may be considered as follows:

Equal suffrage. Suffrage qualifications furnish the starting point in considering election laws. In this respect the movement for woman suffrage made decided gains during the year. Montana and Nevada adopted constitutional amendments admitting women to the electorate; while the Massachusetts (Laws 1914, p. 1055) legislature passed resolutions to submit like amendments to the voters in the respective States in 1915, after the legislatures of 1915 have ratified the proposals. New York, in changes in the charters of the cities of Jamestown (Laws 1914, p. 785) and Norwich (Laws 1914, p. 87), provides that women who pay taxes may vote in all elections, in those cities, in which only tax payers participate. The tendency toward equal political rights for women is further illustrated by the amendment to the Louisiana constitution (Laws 1914, p. 251), which makes women eligible to hold office

in municipalities or in public educational, charitable or correctional institutions.

Nominations. Massachusetts (Laws 1914, p. 959) adopted by referendum the "open" primary. New York (Laws 1914, p. 714) makes several changes in its general primary law, viz., party emblems are abolished in the primaries; a person nominated by the primary must accept the nomination, his alternative being to decline in advance of the primary in the manner prescribed by law; delegates and alternates to the national conventions are to be chosen directly in the primaries, apparently without instructions. Rhode Island (Laws 1914, pp. 44, 45, 49), while making a number of changes in its law regulating the party caucus, still hesitates to adopt the direct primary; indeed in a nominating law for some of the large cities (Laws 1914, pp. 68 ff.), the provisions regarding eligibility for participation in the caucus will operate to increase the control of the party machinery over the party activities. Virginia's new primary law (Laws 1914, p. 514) doesn't go very far in the direction of state control of parties. In the first place it is optional; secondly the primary officials, though appointed by election boards, must be members of the respective parties; thirdly, one who would participate in any party's primary must have voted for that party's nominees in the last election or must declare his intention of supporting the party in the future, and in addition must not be "disqualified by reason of other requirements in the law of the party to which he belongs;" and finally each candidate must comply with the rules and regulations of the proper committee of his party, besides filing with the proper office a declaration of candidacy accompanied by a petition and filing fee amounting to two per cent of the salary of the office sought or one dollar where no salary is attached to the office. The date for the general primary is the first Tuesday in August, and if there is only one candidate for an office then no primary is held for that office. Mississippi (Laws 1914, p. 194) adopts the second primary in the nominations for congressmen; if no candidate in the first primary (which is held on the third Tuesday in August) receives a majority the two highest stand three weeks later in a second primary. Mississippi, in bringing the election of United States senator within the operation of its nomination laws, set the primary at the time of the congressional election next preceding the general election at which a senator is to be chosen, i.e., a two year campaign period. Louisiana (Laws 1914, p. 519) sets the senatorial primary sixty to seventy days before the election. The same State (Laws 1914, p. 460), in its law for commission-governed

cities provides that nominations in such cities shall be under the general primary laws, i.e., partisan, the expense to be borne by the parties. In Boston (Mass. Laws 1914, p. 760), nomination papers for mayor need contain only three thousand signatures instead of five thousand as heretofore, and for councilmen and school committeemen the reduction is from five thousand to two thousand. Louisiana (Laws 1914, p. 120) takes care of the Progressives by authorizing nominations by any party which polled ten per cent of the vote in the last presidential election.

Elections. The following States made the necessary changes in their laws to accommodate direct election of United States senators: Rhode Island (Laws 1914, pp. 40, 44, 65, 76), Maryland (Laws 1914, pp. 790, 1323, 1337), Louisiana (Laws 1914, p. 471), Mississippi (Laws 1914, p. 191) and California (by constitutional amendment). Generally speaking nomination and election are to be at the same time and in the same manner as for congressmen, vacancies to be filled temporarily by appointment by the governor.

In Georgia (Laws 1914, p. 47) the time of holding the general election for state and county officers is changed from the first Wednesday in October to the first Tuesday after the first Monday in November. Boston's annual city election is changed from January to December, i.e., the sixth Tuesday after the state elections (Mass. Laws 1914, p. 760).

A few changes may be noted respecting ballots. In New Jersey (Laws 1914, pp. 194, 365), sample ballots are to be mailed every voter on the Wednesday preceding every general or special election, those for referendum measures to be accompanied by such portion of the statute or constitution as is necessary to indicate to the voter the relation of the proposed change to the existing law. Louisiana (Laws 1914, pp. 148, 547) adds some safeguards with respect to voting booths, provides that numbered ballots are not to be handed to electors in numerical order or in such way as to tend to violate the secrecy of the ballot, and prohibits independent candidates from using the names of political parties to designate their candidacies.

Rotation of names and preferential voting were both included in the city manager plan passed by New York legislature (Laws 1914, p. 1659) for the city of Olean but rejected by the voters of that city. Preferential voting, however gets encouragement in New Jersey (Laws 1914, p. 170), which adopts it in an amendment to its commission-government law. Nominations are by petition only, and in the election the voter may express his first, second, third and "other choices." If no

candidate receives a majority of first choice votes, then all the choices are added together and the highest resulting number decides.

The short ballot made some headway during the year, particularly in the matter of increasing the terms of office, e.g., Georgia (Laws 1914, p. 43), which changes all county offices from two to four year terms; Virginia (Laws 1914, p. 168), which in all three of its plans for city government makes the terms of officers four years instead of one and two as heretofore; New Jersey (Laws 1914, pp. 66, 106, 107), where the terms of various officers in cities of the fourth class are increased from one to three years. New York (Laws 1914, p. 1883), in its general law for the organization of cities provides six different plans in all of which only mayor and councilmen are elected. Contrary to the short ballot principle is the action of Georgia (Laws 1914, Part iii, Title 1), which in many instances adheres to the short term—one or two years—for city officers, and that of Mississippi (Laws 1914, p. 522), which by constitutional amendment abandons the plan of appointing judges of the supreme court by the governor and instead provides for election directly by districts. It is to be noted however that the six judges are to serve for eight years and not all are to be elected at one time.

The recall is adopted by constitutional amendment in Louisiana, Kansas and North Dakota. The Louisiana law (Laws 1914, p. 575) affects all state, district, parish and municipal offices, except judges. The recall ballot contains two separate items; the voters pass on the question of recalling the officer and at the same time vote for candidates for the anticipated vacancy. A majority vote is necessary to recall or to elect, but in the latter first and second choices are permitted. Mississippi (Laws 1914, p. 203) adopts for cities an interesting variation of the usual recall procedure. An officer impeached by a recall petition signed by twenty-five electors may resign, or the "municipal authorities" may remove him, or a recall election may be held within sixty days. Since nothing is said about the succession it may be assumed that the recall simply creates a vacancy to be filled in the regular manner. If the recall election fails the officer at whom it was directed cannot be again subjected to recall proceedings during the term of his office.

Corrupt practices. In connection with its optional primary law Virginia (Laws 1914, p. 514) makes provision against corrupt practices. Expenditures are not permitted except for certain purposes, e.g., traveling, advertising, postage, headquarters, etc., and in amount for any one candidate may not be more than fifteen cents for every vote cast

by that candidate's party for the candidate receiving the largest vote at the last gubernatorial election in the political subdivision for which the primary is held. In legislative districts where there are more than six candidates to be elected the limit is 40 per cent of the salary attached to the office. Statements of expenditures must be filed within twenty days after the primary. Paid advertisements of candidacy in newspapers must be so marked. Bribery, selling votes, and making promises to gain support are prohibited. Penalties vary for different offenses but the maximum is five hundred dollars fine and disqualification from holding office for five years. Massachusetts (Laws 1914, p. 937) strengthens its law in several respects. Corrupt practices by the candidate are more explicitly defined and include violation by himself or another of the provisions regarding limitations on expenditures, making false returns, bribing a voter directly or indirectly, aiding illegal voting, obstructing or delaying a voter or interfering with an election officer, altering, defacing, or destroying ballots, tampering with or injuring voting machines or ballot boxes, or attempting the same. The limit on expenditures for any one candidate under the previously existing statutes was twenty-five dollars for each thousand of the voters qualified to vote for the office concerned, and though any candidate could spend one hundred and fifty dollars, the maximum was five thousand dollars for both primary and election. The changed law provides a schedule for both primary and election for the various offices; e.g., candidates for United States senator or for governor may spend twenty-five hundred dollars in the primary and five thousand in the election, candidates for minor state offices may spend lesser amounts the smallest being for representatives where the limit is one hundred dollars for the primary and the same amount for the election. Candidates for other offices may spend one hundred dollars for the primary or election, or twenty dollars per thousand voters up to a limit of fifteen hundred dollars in the primary and three thousand dollars in the election. Nobody is prohibited from working for a candidate and paying his own expenses, but persons not acting under the authority of a party committee or a candidate are not permitted to receive or expend money in behalf of a candidate. The enforcement procedure is somewhat stiffened and the penalty is increased by the addition of disfranchisement for three years to the existing disqualification from holding office for a like period. The statute excepts from its operation town offices in towns of less than ten thousand inhabitants. Louisiana (Laws 1914, p. 547) enacts that employees of the State, parish, municipal or fed-

eral government are not to act as election officials during their terms nor until six months after they leave their offices. On the other hand, persons elected to office are not to appoint election officials to positions in the State, parish or municipal governments until nine months after the election. Wards or precincts having less than twenty voters are not affected by the act. In Mississippi (Laws 1914, p. 107) bank officers and stockholders are prohibited from contributing directly or indirectly to the campaign expenses of any candidate for bank examiner. In New York (Laws 1914, p. 216), members of the commission which administers the workmen's compensation law are not permitted to serve on or under any committee of a political party.

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Legislation of 1915 Concerning Nominations and Elections. The most striking features of the development of election laws in 1915 are the extension of the presidential preference primary to a number of States; the adoption by California of a general non-partisan election law; and the vast amount of tinkering with primary laws. In addition it may be noted that certain new features are gaining ground, e.g., registration by the card system; voting by mail and other forms of absentee voting; and rotation of names on ballots. The changes, classified in the various fields are discussed more in detail in the following paragraphs.

Qualifications for voting. The question of extending the right to vote to women is to be submitted to the voters of New Jersey on October 19, 1915, a resolution passed by the legislature in 1914 having been again passed. Woman suffrage will also be submitted to the voters in New York, Pennsylvania, and Massachusetts at the regular election in 1915. The constitutional amendments passed by the legislatures of Arkansas (Laws 1915, p. 1492) and South Dakota (Laws 1915, p. 46), are to be submitted to a referendum at the general elections of 1916. At the same time in Washington the voters will pass upon a constitutional amendment limiting the right to participate in bond elections to those who, in addition to being otherwise qualified, own property assessed for taxation upon which the tax has been paid within a year (Laws 1915, p. 352).

Registration of voters. In this field the tendency seems to be toward adopting a permanent register, and therefore toward keeping the register on cards instead of in books. Montana (Laws 1915, p. 263 ff.), Nebraska (Laws 1915, p. 382 ff.), and Oregon (Laws 1915, p. 299 ff.),